

IN The United States District Court
FOR The MIDDLE District OF ALABAMA
EASTERN Division

RECEIVED

JUN 13 9:24 AM
DEBRA P. HACKETT, CLK.
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

Wendall Jefferson,
movant, PROSE

VS.

United States OF America,
Respondents

case NO 3:06-CV-60-MHT-
TFM

MOTION UNDER Rule 4(a)(6)(B). TIME.

COMES now Wendall Jefferson, here in after 'movant' acting PROSE in the above style motion under Rule 4(a)(6)(B) Fed. R. App. P. requesting the Courts to reopen the Order of Recommendation of Magistrate Judge entered on May 14, 2007 (Doc #14).

However, movant contends that he never received the court's order to file any objections to the Recommendation of the Magistrate Judge, Movant did not receive the court order through the institution mail room or from his institutional Counselor, nor the District Court.

Under Rule 4(a)(6)(B), the Courts may reopen, if Courts finds that the moving Party was entitled to notice of the entry of the Judgment or order sought to be appealed but did not receive the notice from the District Court or any Party within 21 days after entry.

movant, became aware of the Recommendation of the Magistrate Judge entered on May 14, 2007 (Doc#14) is when he received the District Judge order dismissing his 2255 filed on June 5, 2007 (Doc#15-1), but received it on June 8, 2007.

Relief Requested

Wherefore, The Movant Wendall Jefferson respectfully URGES The Honorable Court to grant the instant petition forthwith

Certificate OF Service

I Here by certify that a true and exact copy OF THE instant motion was served to the US ATTORNEYS OFFICE, Box 197, Montgomery, AL 36101 on this 11th day of June 2007, by handing the said document over to the prison officials here at U.S.P. Atlanta P.O. Box 150 160 Atlanta, GA 30315, with First class postage prepaid in full and addressed correctly here in.

WJ / lamF
CC: File

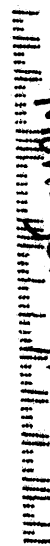
Respectfully Submitted
Wendall Jefferson
Wendall Jefferson
11199-002
U.S.P. Atlanta
Box 150 160
Atlanta, GA 30315

UNITED STATES PENITENTIARY
Wendell Jefferson 1199-002
P.O. Box 150166
Atlanta, GA 30315

ATLANTA, GA 30315
13 JUN 2007 PM 1 L



36101+0711



OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
P.O. BOX 711

Montgomery, Alabama 36101